



SN 09/746933

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Aastuen, et al	Examiner:	Shafer
Serial No.:	09/746933	Group Art Unit:	2872
Filed:	12/22/00	Docket No.:	810.527US11
Title:	REFLECTIVE LCD PROJECTION SYSTEM USING A WIDE-ANGLE POLARIZING BEAM SPLITTER		

PATENT

16/ Election
8-2002

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on July 18, 2002.

Iain A. McIntyre

Name

Signature

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231



Dear Sir:

In response to the restriction requirement dated June 18, 2002, Applicants hereby elect Group I, claims 1-12 and 25 with traverse.

It is stated in the Restriction Requirement that claims 13 and 19 are considered to be linking claims and neither claim is subject to the restriction. Accordingly claims 13 and 19 are still under consideration in the present case.

The Examiner also required the Applicants to elect species. Applicants respectfully assert that the species election is improper. Claims to be restricted to different species must be mutually exclusive (MPEP § 806.04(f)), and the Restriction Requirement states that a single disclosed species be selected for prosecution on the merits.

However, there are three different species choices listed in the Restriction Requirement, namely A) the optical system being either a front projection or rear projection system; B) the first polarization direction being either s-polarized or p-polarized and C) the beamsplitter being a multilayer film beamsplitter or a wire grid beamsplitter. The choices in each of A)-C) are internally mutually exclusive, for example the optical system may be either a front or a rear projection system, but not both. Thus,

each of the choices A)-C) provides a set of mutually exclusive options. However, the choice among A, B and C is not mutually exclusive. For example, if the system is a rear projection system, it does not matter whether the first polarization is s-polarization or p-polarization, and it does not matter whether the polarizer is a multilayer polarizer or a wire grid polarizer. Therefore, Applicants cannot respond with one single species elected for prosecution on the merits, but with three different, independent species.

Accordingly, Applicants understand that the Examiner has provided Applicants with three different species selections to be made, A)-C). Applicants respectfully elect, with traverse, A) the optical system being a rear projection system, B) the first polarization direction being s-polarization and C) the beamsplitter being multilayer film beamsplitter.

The Restriction Requirement indicates that only claim 13 is considered to be generic. Applicants respectfully assert that claim 19, stated in the Restriction Requirement to be a linking claim, is also generic: claim 19 does not limit the system to either a front- or rear-projector, does not limit the polarization of the first polarization component and does not limit the type of Cartesian beamsplitter.

The elected species read on linking claims 13, and 19 and claims 1, 2, 4-7, and 9-12.

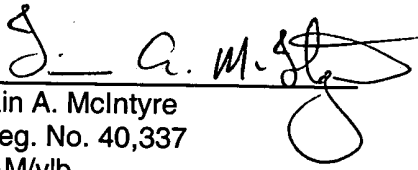
Any questions regarding this communication should be directed to the undersigned attorney at 952-253-4110.

Respectfully submitted,

Altera Law Group, LLC
6500 City West Parkway – Suite 100
Minneapolis, MN 55344-7701
(952)-253-4100

Date: July 18, 2002

By:


Iain A. McIntyre
Reg. No. 40,337
IAM/vlb